

# MISSOURI COURT OF APPEALS WESTERN DISTRICT

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## COMPLETE TITLE OF CASE

IN RE THE MATTER OF:

CHRIS A. AFRIDI,

Respondent,

v.

KENNETH CHARLES AUMAN,

Appellant.

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**DOCKET NUMBER** WD70090

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**DATE:** February 2, 2010

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## Appeal from

The Circuit Court of Jackson County, Missouri  
The Honorable Margaret L. Sauer, Judge

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## APPELLATE JUDGES

Division Three: Welsh, P.J., and Pfeiffer and Mitchell, JJ.

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## ATTORNEYS

James T. Madison  
Kansas City, MO

Attorney for Respondent,

Kenneth Charles Auman  
Kansas City, MO

Appellant, *pro se*.

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IN RE THE MATTER OF:

CHRIS A. AFRIDI,

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Jackson County

Ken Auman (Auman) successfully defended Chris Afridi's petition for an order of protection filed. Appearing *pro se* before this court, Auman appeals the ruling of the Circuit Court of Jackson County (trial court) denying his motion for legal expenses and sanctions.

**AFFIRMED.**

**Division Three holds:**

Auman seeks to recover attorney's fees, expenses and costs based upon a liberal interpretation of Rule 77.01. Auman attempts (1) to couch his personal research efforts as "legal expenses," and (2) to characterize his entitlement to recovery as a "cost" contemplated by Rule 77.01. It is, however, undisputed that Auman does not have a license to practice law, and as such, his personal legal research efforts cannot be deemed "attorney" fees. Further, attorney's fees are not "costs" and, even if they were, there exists specific statutory authority which gives a trial court discretion in awarding attorney's fees in an adult abuse case.

In evaluation of Auman's other claims of costs, we first note that absent express statutory authority, courts have no inherent authority to award costs. In this instance, not only is there no express statutory authority permitting the taxation of costs, the statutory mandate is that the trial court is expressly forbidden from taxing costs against a petitioner in adult abuse cases commenced pursuant to sections 455.010 to 455.085.

February 2, 2010

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THIS SUMMARY IS **UNOFFICIAL** AND SHOULD NOT BE QUOTED OR CITED.